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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

August 2, 2010

TO: Internal File

THRU: Steve Christensen, Hydrologist and Team Lead *S/C*

FROM: James Owen, Reclamation Engineer *JO*

RE: Midterm Review, Sunnyside Cogeneration Associates, Sunnyside Refuse and Slurry, C\007\0035, Task ID # 3547

SUMMARY:

The Utah Division of Oil Gas & Mining is required to review each active permit during its term, in accordance with R645-303-211. This midterm review for the Sunnyside Refuse and Slurry is to take place at the midpoint of the permit term (August 4, 2010) and will cover pertinent elements that have been selected for review. The engineering-related issues discussed within the following review requirement items will be addressed within this technical memorandum.

- *A review of the mine plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and Permittee initiated plan changes are appropriately incorporated into the mine plan document.*
- *A review of the mining and reclamation plan for compliance with operator commitments related to variances or special permit conditions (including but not limited to **subsidence control/monitoring plans and reporting requirements, variances to AOC, experimental practices, electronic database water monitoring reporting, raptor surveys, re-vegetation test plots, etc.**)*

The *General Engineering Section (500)* of the MRP was reviewed to ensure that all requirements were being met as described above. The most recent permittee initiated plan changes, which were made to section 500 were incorporated by the Division of Oil Gas & Mining on April 26, 2007.

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TECHNICAL ANALYSIS:

OPERATION PLAN

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

No material damage or diminution within the permit area has been or will be caused by subsidence. No past or future underground coal mining operations have or are likely to occur within the permit area because no underground coal resources are available within the permit area.

Findings:

The information in the MRP is adequate to meet the requirements of this section of regulations.

RECLAMATION PLAN

APPROXIMATE ORIGINAL CONTOUR RESTORATION

Regulatory Reference: 30 CFR Sec. 784.15, 785.16, 817.102, 817.107, 817.133; R645-301-234, -301-412, -301-413, -301-512, -301-531, -301-533, -301-553, -301-536, -301-542, -301-731, -301-732, -301-733, -301-764.

Analysis:

There is not expected to be any variance to approximate original contour (AOC). In the 'Reclamation Plan' portion of the *General Engineering Section (500)* of the MRP, the Permittee states that following the excavation of coal mine waste, the remaining material will be re-graded to approximately re-establish the surface contours that existed before mining operation disturbances.

Findings:

The information in the MRP is adequate to meet the requirements of this section of regulations.

RECOMMENDATIONS:

The information in the MRP is adequate to meet the requirements of the Mid-term review.

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